

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHARLES L. TINGLER,

Plaintiff,

v.

ROCKY NELSON, *et al.*,

Defendants.

Case No. 2:23-cv-01525

JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Elizabeth Preston
Deavers

ORDER

This matter is before the Court on the August 25, 2023 Order and Initial Screen Report and Recommendation issued by the Magistrate Judge. (ECF No. 5.) Although the Magistrate Judge granted Plaintiff Charles Tingler's request for leave to proceed *in forma pauperis*, she also recommended that the Court dismiss Mr. Tingler's Complaint in its entirety after performing an initial screen pursuant to 28 U.S.C. §§ 1915(e)(2), 1915A. (*Id.*)

Mr. Tingler was advised of his right to object to the Report and Recommendation and of the consequences of failing to do so (*id.* PageID 158–59), but did not do so. The Court **ADOPTS** and **AFFIRMS** the Report and Recommendation (ECF No. 5) and **DISMISSES** the Complaint (ECF No. 4). The Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that, for the reasons stated in the Report and Recommendation, an appeal of this Order would not be taken in good faith and therefore may not be taken *in forma pauperis*. The Clerk is **DIRECTED** to **TERMINATE** this case from the docket.

IT IS SO ORDERED.

10/12/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE